

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID RASMUSSEN,

Plaintiff,

v.

TESLA, INC.,

Defendant.

Case No. 19-cv-04596-BLF

**ORDER DENYING REQUEST TO
VACATE OR ADVANCE
DECEMBER 9, 2021 HEARING ON
MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

[Re: ECF No. 50]

On July 28, 2021, Plaintiff David Rasmussen (“Plaintiff”) filed a Motion for Preliminary Approval of Class Settlement and Direction of Notice Under Rule 23(e). ECF No. 49 (“Preliminary Approval Motion”). The motion is scheduled for hearing on December 9, 2021. *Id.* On September 20, 2021, Plaintiff filed a notice informing the Court that no party or non-party objects to or opposes the Preliminary Approval Motion, despite the August 11, 2021 due date for oppositions having passed. ECF No. 50. Plaintiff also requested that the Court vacate the December 9, 2021 hearing and decide the Preliminary Approval Motion on the papers or, in the alternative, that the Court reschedule the hearing on the Motion to an earlier date. *Id.* The Court does not wish to vacate the hearing and has limited availability prior to the scheduled December 9, 2021 date. Accordingly, the Court hereby DENIES Plaintiff’s request.

IT IS SO ORDERED.

Dated: September 22, 2021



BETH LABSON FREEMAN
United States District Judge